

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

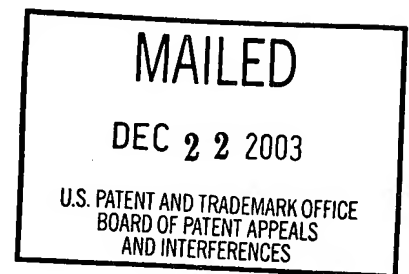
Paper No. 18

UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte XIAOMEI JIN and
JACK A. ROTH

Application No. 10/006,163



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on November 26, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Examiner's Answer (Paper No. 15) was mailed September 23, 2003. In response, appellants filed a Reply Brief (Paper No. 18) and Request for Oral Hearing (Paper No. 19) on November 21, 2003. The examiner has not had the opportunity to consider these papers.

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Additionally, we are unable to located a copy of the Harlow¹ reference relied on by the examiner in the Examiner's Answer (Paper No. 15, page 2) in the administrative file.

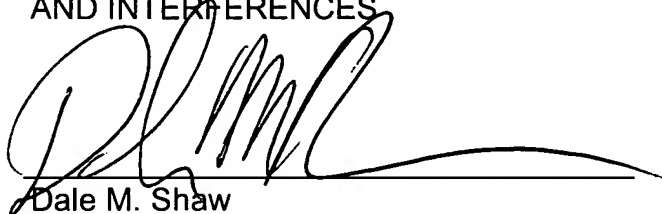
Accordingly, it is

ORDERED that the application is returned to the examiner for consideration of the Reply Brief, and it is

FURTHER ORDERED that the application is returned to the examiner to provide a complete copy of the Harlow reference, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'D. M. Shaw', is written over a horizontal line.

Dale M. Shaw
Program and Resource Administrator
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¹ Harlow, in Antibodies a Laboratory Manual, pp. 99, 139-149, 319-356, and 626-629 (Cold Spring Harbor Laboratory Publication, Cold Spring Harbor, NY 1988)

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